

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION**

IN RE:

BRIAN LAURENT EICHENLAUB,

**CASE NO. 20-01839-5-DMW
CHAPTER 13**

DEBTOR

DEBTOR'S VERIFIED MOTION TO EXTEND AUTOMATIC STAY

Now comes the Debtor, by and through counsel, and moves this court to order, under 11 U.S.C. § 362(c)(3), that the full protections of the automatic stay be extended in this case until terminated under 11 U.S.C. § 362(c)(1) or (2), or until further order of the court. In support of this motion, the Debtor shows the court as follows:

1. The Debtor filed the above-captioned case on May 6, 2020.
2. On May 27, 2011 the Debtor filed a prior chapter 13 case bearing the assigned Case No. 11-04120-8-SWH in the Eastern District of North Carolina. The court dismissed that case on March 3, 2020. The dismissal of the prior case was because of the following (*mark all that apply*):

- ☐ Debtor or Debtor's immediate family incurred significant medical expenses;
- ☐ Debtor lost job/ had hours reduced/had wages reduced;
- ☐ Debtor incurred a significant expense on primary residence;
- ☐ Debtor incurred a significant expense on primary vehicle;
- ☐ Debtor was owed money by a third party (such as child support, alimony, worker's compensation) and was not paid (*if so, list source of money **);
- ☐ Debtor incurred a significant expense related to a dependent (*if so, provide details*): *
- ☒ Other * Debtor's incurred significant expenses related to a change in marital and living situation, including child support.

3. The Debtor's circumstances have substantially changed because (*mark all that apply*):

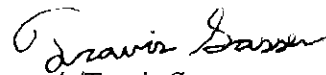
- ☒ Debtor now has new income in the form of additional work hours, an additional job, additional wages from previous job, and/or a new job. Provide details: *
Debtor is self-employed and work has increased.
- ☐ Debtor now has new income in the form of monetary assistance from a third party individual (*provide details*): *
- ☐ Debtor now has new income in the form of monetary assistance from a third party organization (*provide details*): *

- ☐ Debtor now has more available income in the form of reduced expenses (*provide details*): *
- ☐ Other: *
- 4. As required by E.D.N.C. LBR 4001-1 (d)(1), this motion (*mark appropriate box*)
 - ☒ is filed within five (5) days of the petition date
 - ☐ is NOT filed within five (5) days of the petition date.

5. The Debtor has demonstrated by clear and convincing evidence that the current case is filed in good faith. The Debtor's circumstances have substantially changed so that the reason for dismissal in the prior case is not likely to recur and this case can be completed.

Wherefore, the Debtor prays for the court to enter an order extending the automatic stay as to all creditors until it would terminate under 11 U.S.C. §§ 362(c)(1) or (2), or until further order of the court, and for such further relief as the court deems just and appropriate.

Dated: May 7, 2020



/s/Travis Sasser

Travis Sasser

Attorney for Debtor

Sasser Law Firm

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Cary, NC 27518

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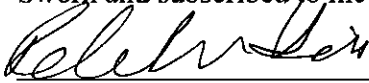
DECLARATION

Under penalty of perjury, I, **Brian Laurent Eichenlaub**, hereby certify that I have personal knowledge of all the information contained in the pleading above and all information is true and accurate, to the best of my knowledge.


(Signed)

Brian Laurent Eichenlaub,

Sworn and subscribed to me this the 7th day of May, 2020



Notary Public



END OF DOCUMENT

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IN RE:

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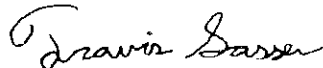
DEBTOR

NOTICE OF MOTION

NOTICE IS HEREBY GIVEN that a Motion to Continue Automatic Stay has been filed by the debtor. A copy of the motion accompanies this notice.

TAKE NOTICE FURTHER that pursuant to the Local Rules of the United States Bankruptcy Court for the Eastern District of North Carolina, you have fourteen (14) days from the date of this Notice of Motion to file a responsive pleading to the attached Motion. If a response is filed, a hearing on this motion will be heard at the United States Bankruptcy Court, Eastern District of North Carolina, Raleigh Division located at the Century Station Federal Building, 300 Fayetteville Street, Raleigh, North Carolina 27601 in **3rd Floor Courtroom starting at 10 AM on June 3, 2020**. You must file your response with the Clerk, United States Bankruptcy Court, Post Office Box 791, Raleigh, NC 27602 with a copy to the undersigned. Any such responsive pleading must contain a request for a hearing if, indeed, you wish to be heard by the Court. Unless a hearing is specifically requested in a responsive pleading, the attached Motion may be determined and final Orders entered by the court without a hearing.

Dated: May 7, 2020



/s/ Travis Sasser

Travis Sasser

Attorney for Debtor

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CERTIFICATE OF SERVICE

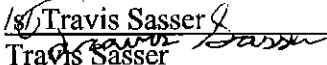
The foregoing debtor's Motion to be served on the following parties, by mailing a copy by depositing it in the United States Mail, by First Class Mail, in a properly addressed envelope with adequate postage thereon.

John F. Logan
Chapter 13 Trustee
Served Electronically

Brian Laurent Eichenlaub
107 Chapel Valley Lane
Apex, NC 27502

ALL PARTIES ON THE ATTACHED MAILING MATRIX

Dated: May 7, 2020



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Norfolk, VA 23541-1021

Ashley Funding Services
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Greenville, SC 29603-0587

Beneficial Financial I Inc.
Attn: Managing Agent/Bankruptcy
636 Grand Regency Boulevard
Brandon, FL 33510-3942

C & E Acquisition Group
3580 Harlem Road, Suite 6
Buffalo, NY 14215-2045

Candica, LLC
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2001 West Avenue, Suite 400
Seattle, WA 98121

Capital One
Attn: Managing Agent/Bankruptcy
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Salt Lake City, UT 84130-0285

Carrington Mortgage Services, LLC
Attn: Managing Agent/Bankruptcy
1600 South Douglas Rd Ste 110/200A
Anaheim, CA 92806-5951

Internal Revenue Service
Centralized Insolvency Operations
P. O. Box 7346
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NC Department of Revenue
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Premier Bankcard, LLC
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Des Moines, IA 50306-0335

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